

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**FIRST NATIONAL OF NEBRASKA,)
INC. and FIRST NATIONAL BANK)
OF OMAHA,)**

Plaintiffs,)

v.)

**EMERALD GROUP PUBLISHING)
LIMITED,)**

Defendant.)

8:05CV212

ORDER

This case is before the magistrate judge for full pretrial supervision. The court file shows that the defendant was served with summons on May 16, 2005. Apparently, the defendant has failed to timely answer or otherwise respond to the complaint. It remains plaintiffs' duty to go forward in prosecuting the case by, for example, obtaining an entry of default and filing a motion for default judgment. There has been no activity in this case since May 20, 2005.

IT THEREFORE IS ORDERED that plaintiffs are given until **September 15, 2005** to obtain an entry of default and file a motion for default judgment, or take other appropriate action to prosecute the case. If appropriate action is not taken, I will recommend that the case be dismissed without prejudice for failure to prosecute.

DATED August 19, 2005.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**